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| APPLICATION N   | NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.    | CONFIRMATION NO. |
|---|------|-------------|----------------------|------------------------|------------------|
| 10/618,362  |      | 07/10/2003  | Ryuichi Morishita    | ANGES-1 CIP            | 6703             |
| 1473  | 7590 | 03/30/2006  |                      | EXAMINER               |                  |
| FISH & NEAVE IP GROUP                                 |      |             |                      | VANIK, DAVID L         |                  |
| ROPES & GRAY LLP<br>1251 AVENUE OF THE AMERICAS FL C3 |      |             |                      | ART UNIT               | PAPER NUMBER     |
| NEW YORK, NY 10020-1105                               |      |             |                      | 1615                   |                  |
|   |      |             |                      | DATE MAILED: 03/30/200 | 5                |

Please find below and/or attached an Office communication concerning this application or proceeding.

## **DETAILED ACTION**

Receipt is acknowledged of the Applicant's Remarks and Amended Claims filed on 2/27/2006.

## Response to Amendment

The reply filed on 2/27/2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): As examined, the instant claims 1-3, 6-11, 14-17 were directed to a composition comprising at least one NF-KB decoy and a pharmaceutically acceptable carrier. As amended, however, the claims are directed to a method of treating asthma comprising an NF-KB decoy and a pharmaceutically acceptable carrier. Additionally, as set forth in the instant amended claims 2 and 18, the claims recite a specific sequence ID. See 37 CFR 1.111. Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.

EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Application/Control Number: 10/618,362

Art Unit: 1615

## Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David L. Vanik whose telephone number is (571) 272-3104. The examiner can normally be reached on Monday-Friday 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thurman Page can be reached on (571) 272-0602. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David Vanik, Ph.D.

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GARLOS A. AZPURU

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PRIMARY EXAMINER

**GROUP 1500**